



ఆంధ్రప్రదేశ్ రాజపత్రము
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PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

**CHIEF EXECUTIVE OFFICER,
A. P. STATE WAQF BOARD,
4th FLOOR, IMDADAGHAR, Opp: KALESWARAO MARKET, VIJAYAWADA.**

F.No. B3/42/PKM/2008/Z-VII.

Date: 13-09-2022.

SPSR NELLORE DISTRICT (EARSTWHILE PRAKASAM DISTRICT) - MOSQUE
SUNNI KNOWN AS WALAJA MASJID SITUATED AT RAMAYYPATNAM
VILLAGE ULAVAPADU MANDAL - Sri MOHAMMED ABDUL KHADIR CHISTY,
S/o. Late MOHAMMED FAZLUDDIN RECOGNIZED AS MUTAWALLI U/Sec.42
OF THE WAQF ACT, 1995 IN PLACE OF HIS DECEASED FATHER Late
MOHAMMED FAZLUDDIN.

- Read :** 1.This Office Proceedings No.B3/42/PKM/2008/Z-V, dated:27-05-2017.
2.Representation of Sri.Mohammed Abdul Khadir Chistty S/o. late
Mohammed Fazluddin, Dated:27-08-2021.
3.This Office Memo dated:30-09-2021 to I.A.Waqfs, Prakasam District.
4.Report of the Inspector Auditor Waqf, Prakasam District, vide Lr. No.
25/WAQF/PKM/13, Dated:10-05-2022.
5.This Office paper Notification dated:24-05-2022.
6.Report of the Inspector Auditor Waqf, Prakasam District, vide Lr. No.
25/WAQF/PKM/13, Dated:16-06-2022 along with Notification of
EenaduTelugu Daily News Paper, Dated. 26-05-2022.
7.Orders of the Hon'ble Chairperson, APSWB, dated:22-06-2022.
8.Board's Resolution No.365 of 2022, dated:24-08-2022.
9.Orders of the Hon'ble Chairperson, APSWB, dated.13-09-2022.

ORDER:

The Waqf institution namely Mosque Sunni known as Walaja Masjid situated at Ramayapatnam Village Ulavapadu Mandal, Prakasam District and lands under TD No.528 in Sy.No.172 to an extent of Ac.1.21 cents of Ramayapatnam Village, under TD No.749 in Sy.No.304 to an extent of Ac.39-62 cts in Kallurajapalem Village, under TD. No.37 in Sy No.947 to an extent of Ac.5.72 cts, Sy No.595 to an extent of Ac.32.88 cts, Sy No.595 to 597 to an extent of Ac.8.40 cts of Kavali Village, SPSR Nellore District total an extent of Ac.87-78 cents are notified Waqf and got Published in A.P.Gazette No.18-A, Part-II, Dated:02-05-1963 at Serial No.85 in page Nos.96 & 97 under the Towliath of 1.Khazi Mohammed Khaja Mohiuddin, 2. Khaiz Mohammed Azeezullah and 3. Kazi Mohammed Khasim Sahib. The Rule of succession to the office of the Mutawalli specified as by custom Hereditary.

In the ref.1st read the board has recognized Sri. Md Alemuddin, S/o.Late Mohd. Khaja Qutubuddin and Sri. Mohammed Fazluddin as Mutawallis to the subject Waqf institution U/sec. 42 of Waqf Act,1995.

In the ref. 2nd read, Sri.Mohammed Abdul Khadir Chistty S/o. late Mohammed Fazluddin, has submitted a representation to this office and informed that his father Mohammed Fazluddin was expired on 10-06-2021 and there is no one to look after the day to day affairs of the subject institution and request to recognize him as Mutawalli to Mosque Sunni known as Walaja Masjid situated at Ramayapatnam Village Ulavapadu Mandal, Prakasam District in place of his demised father late Mohammed Fazluddin, as Mutawalli U/sec. 42 of Waqf Act, 1995.

In the ref. 3rd read above, this office issued a Memo to Inspector Auditor Waqf, Prakasam District for calling detailed report in the subject matter.

Accordingly, the Inspector Auditor Waqf, Prakasam District has reported vide read 4th cited, that after the death of Mutawalli of Md..Fazluddin, S/o.late Mohd.Khaja Moinuddin, Sri. Md.Aleemuddin, S/o. late Mohd. Khaja Qutubuddin and Abdul Khader Chisty, S/o. Fazluddin are managing the above said institution and the applicant Sri.Mohammed Abdul Khadir Chistty is son of late Mohammed Fazluddin and grandson of notified Mutawalli i.e Khazi Mohammed Khaja Mohiuddin he is legal heir of notified Mutawalli.

Further, the I.A Waqfs, Prakasam District has reported that the subject institution is not having any income through landed property total extent of Ac.87.78 cents due to the said lands are under encroachment and CEO, APSWB has issued requisition to RDO Kandukur, Praksham District after completion of enquiry against encroachers in

Sy. No.304 extent of Ac.31.30 cents out of extent of Ac.39.62 cents and the matter is pending in RDO office at Kandukur of Prakasam District and the I.A Waqf has furnished NOC, Family Member Certificate and death Certificate of Mohammed Fazluddin and requested to take further action for recognition of Mutawalli.

In the ref 5th read above, this office has issued paper notification for calling claims and objections, for recognition of Sri.Mohammed Abdul Khadir Chistty S/o. late Mohammed Fazluddin as Mutawalli U/sec.42 of Waqf Act, 1995 to the subject Waqf institution may file their claims and objection if any within a period of (15) days from the date of Publication of this Notification with documentary evidence, otherwise the matter will be decided on the basis of the material available on record.

In the ref. 6th read above, the Inspector Auditor Waqf, Prakasam District, has reported that the paper notification was published in Eenadu Telugu daily District edition on 26-05-2022 by the applicant and there was no claims & objections are received against the said notification.

The above said matter was placed before the Hon'ble Chairperson, APSWB who after careful examine and passed orders vide ref.7th read above to place before the Board.

The subject matter was placed before the Board and the Board has passed resolution vide No. 365 of 2022, dated.24-08-2022 in the ref.8th read above " to recognize Sri.Mohammed Abdul Khadir Chistty S/o. late Mohammed Fazluddin, as Mutawalli U/sec. 42 of Waqf Act, 1995 to Mosque Sunni known as Walaja Masjid situated at Ramayyapatnam Village Ulavapadu Mandal, (Erstwhile Prakasam District) SPSR Nellore District in place of his demised father late Mohammed Fazluddin.

Accordingly, Sri.Mohammed Abdul Khadir Chistty S/o. late Mohammed Fazluddin, is hereby recognized as Mutawalli in place of his demised father late Mohammed Fazluddin to Mosque Sunni known as Walaja Masjid situated at Ramayyapatnam Village Ulavapadu Mandal, SPSR Nellore District (Erstwhile Prakasam District) U/sec. 42 of Waqf Act, 1995 for managing the affairs of the subject Waqf Institution alongwith other Mutawalli of Sri.Md.Allemuddin, S/o. late Md. Khaja Qutubuddin by following Waqf Act, 1995 and Waqf Rules.

The Mutawallies should discharge his legitimate duties strictly as determined in Section 50 of Waqf Act, 1995 read with Rule 20 of A.P. Waqf Rules, 2000 and should follow the instructions issued by the Board from time to time they should submit the Accounts U/sec.46 of Waqf Act, 1995 and Budget U/sec.44 of Waqf Act, 1995 and pay Waqf fund duly following the provisions laid down U/sec.72 & 77 of Waqf Act, 1995

properly, failing which action will be taken against him U/Sec. 61 and 64 of the Waqf Act, 1995 as the duties mentioned below.

- a) To implement the orders issued by the Board from time to time.
- b) To carry out the directions of the Board
- c) To allow inspection of the Inspector Auditor, Waqfs regarding property, accounts, records, deeds and documents relating thereof.
- d) To discharge all public duties.
- e) To do any other Act which he is Lawfully required to do so or under this Act.
- f) He shall render proper and correct accounts of the Institution and its attached properties and shall not suppress any facts.
- g) That the Mutawalli is restricted to grant lease of Waqf property exceeding one year.
- h) The Mutawalli should follow the Norms fixed in Section 56 of the Waqf Act, 1995 while granting Lease of any agricultural lands. He should follow Lease Rules, 2014 to put open auction through A.P. State Waqf Board.
- i) He will not entitled to expend the Monies of Waqf exceeding @ 10% of the Net annual Income.

As per Sec.101(2) of Waqf Act, 1995, "Every Mutawalli of a Waqf, every member of managing committee whether constituted by the Board or under any deed of Waqf, every Executive Officer and every person holding any office in a Waqf shall also be deemed to be a public servant within the meaning of Sec.21 of the Indian Penal Code". As such, for the illegal acts if any, every member of the committee will be liable for penal action. The Mutawalli shall also noted that Sec.3 (ee) defined encroacher, Sec. 52-A explain rigorous punishment up to (2) years and Sec.61 speaks penalty and punishment up to (6) months for the lapses / charges shown therein, hence should act carefully diligently and maintain accounts scrupulously.

The APSWB reserves its right to modify / cancel / alter / with hold the order at any time without assigning any reasons thereof.

L.ABDUL KHADIR,
Chief Executive Officer,
A.P. State Waqf Board, Vijayawada.

To
Sri.Mohammed Abdul Khadir Chistty,
S/o. late Mohammed Fazluddin,
Mutawalli of Mosque Sunni known as Walaja Masjid situated at Ramayyapatnam Village
Ulavapadu Mandal, SPSR Nellore District (Erstwhile Prakasam District) .

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